THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

W.P.No.23317 of 2005

Date:31.10. 2005

B.Devender.

--------PETITIONER

The Vice-Chairman & Managing Director, A.P.S.R.T.C.,

Musheerabad, Hyderabad and others.

---------RESPONDENTS

ORDER:

The petitioner has been appointed as a Conductor in A.P.S.R.T.C. in 1997 and posted in the Parakal Depot. He was removed from service after holding a depart mental enquiry in the year 1999. He raised an Industrial Dispute before the Labour Court and an award was passed therein, directing that he be appointed as a fresh candidate. The concerned Depot Manager reinstated the petitioner, but treated him as a daily wage Conductor. His claim for appointment on regular basis is pending before this Court in W.P.No.16497 of 2005. The present grievance of the petitioner is that the Depot Manager, Parakal, 4th respondent herein transferred him to Hyderabad City Region. He contends that the region being a unit of appointment, he ought not to have been transferred to Hyderabad City Region.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.

Identical question came to be considered by this Court in W.P.No.20288 of 2005 and batch. It was held that when the region is the unit of appointment, the authorities of the Corporation cannot transfer a Conductor outside the region.

Several other aspects were also dealt with.

Following the same, the Writ Petition is allowed, and the order, dated 20.10.2005, is set aside. It is, however, made clear that the provision of work to the petitioner as a Conductor, as of now, shall be subject to availability and that as long as any conductors, who are juniors to the petitioners, are provided the work, he shall also be engaged. There shall be no order as to costs.

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31.10.2005

Note: Issue C.C. in three days.

(B/o)

Jsu